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Worldwide Report

LAW OF THE SEA

No. 197

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20 May 1982

WORLDWIDE REPORT
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WORLDWIDE AFFAIRS

BRIEFS

USSR, JAPAN SALMON PROTOCOL--Moscow, 23 Apr, TASS--Soviet-Japanese intergovernmental talks on the order and conditions of the Japanese salmon fishing in the northwestern part of the Pacific in 1982 ended in Moscow today. The protocol was signed on behalf of the Soviet side by the USSR minister of fisheries, Vladimir Kamentsev, and on behalf of the Japanese side by the charge d'affaires ad interim of Japan in the USSR, H. Ovada. [Text] [LD240110 Moscow TASS in English 1612 GMT 23 Apr 82]

CSO: 5200/2073

AUSTRALIA

BRIEFS

ISLAND FISHING RIGHTS--Palm Island's Aboriginal Community Council has rejected the State Government's land rights proposal. The council chairman, Mr Tommy Geia, said yesterday the islanders wanted freehold title, mineral rights and fishing rights in waters within 5 km of the coastline of the Palm group. "We don't want some politicians or bureaucrats in Brisbane having the last say in everything that happens on this reserve," Mr Geia said. "We want self-management, not government management," he said. The islanders wanted freehold title, vested in the council, over the eight islands making up the present reserve, he said. They wanted control over mining, timber-cutting, tourism and fishing activities on the reserve, he said. "The only way the Palm Islanders can achieve what they want is to be in control of all matters concerning the reserve," Mr Geia said. [Brisbane THE COURIER-MAIL in English 24 Mar 82 p 18]

CSO: 5200/7534

MINISTER ANSWERS QUESTIONS ON LAW-OF-THE-SEA MEET

Madras THE HINDU in English 2 Apr 82 p 9

[Text] NEW DELHI, April 1.

The U.S. attitude in insisting on certain amendments to the draft convention of the law of the sea, which amounts to its going back on its commitments, has resulted in a stalemate and uncertainty about the adoption of the convention and the signing of the treaty on the basis of the consensus arrived at earlier.

The U.S. stand aims at freeing private international companies of all their obligations to transfer their production of sea-bed wealth to the international sea-bed authority proposed to be created.

Mr. P. Shiv Shanker, Union Minister for Petroleum, Chemicals and Fertilizers, gave this information in the Lok Sabha today while answering questions on behalf of Mr. P. V. Narasimha Rao, Minister for External Affairs. He said that 11 States, including Norway, Sweden, Denmark, Ireland and Iceland, at the instance of Mr. Tommy T. B. Koh of Singapore, president of the third U.N. conference on the law of the sea, are now trying to so "moderate" these amendments as to be acceptable to other countries.

But the mood of the other countries is that the convention should be adopted and treaty signed despite the U.S. and its allies' opposition.

No surrender: Mr. Shiv Shanker said that India would not surrender the agreement. However, this would depend upon the views of the member-countries of the Group of 77. At the U.N. convention, which ended in August 1981, all the countries including the Group of 77 felt that they should go ahead with the signing of the convention and the treaty.

The Minister hoped international pressure would bring the U.S. round, but this might turn out to be a "pious hope."

At the 11th session of the third U.N. conference on the law of the sea, now in session in New York from March 8, 1982, India as also the members of the Group of 77 and other States are examining the U.S.

amendments and will try to persuade the U.S. not to reopen the negotiations on the fundamental aspects of the international regime on which consensus has already been reached.

Effect of amendments: Mr. Shiv Shanker said the effect of the five U.S. amendments would be to scrap the anti-monopoly provisions in the convention.

Mr. Shiv Shanker said in his replies to Mr. Bikhu Ram Jain, Mr. S. B. Sidral, Mr. Inderjit Gupta, Mr. Niren Ghosh and others that the U.N. declaration of principles governing the sea-bed and the ocean floor and the sub-soil thereof beyond the limits of national jurisdiction, which declared the international sea-bed area and its resources as the "common heritage of mankind", was adopted by the U.N. Assembly on December 17, 1980, with a majority of 108 states in favour, none against and 14 abstentions. India voted for the resolution and strongly supported it as a fundamental principle of international law.

CSO: 5200/7037

FAILURE TO ENDORSE CONVENTION WILL DAMAGE U.S. CREDIBILITY

Kuala Lumpur BUSINESS TIMES in English 11 Mar 82 p 22

[Editorial: "The Seas: Up To The U.S. Now"]

[Text]

THE negotiations on the Law of the Sea resumed last Monday with all eyes riveted on the United States. After careful compromise was worked out among delegates almost 18 months ago, the Reagan Administration decided, shortly after its installation, to review the draft all over again, thus effectively preventing its finalisation. The less developed countries (LDCs) reluctantly gave in to American pleas for more time. This was a goodwill gesture to a new administration, even though both Republican and Democratic administrations in the past had endorsed the concept that the riches of the deep sea-bed were the common heritage of mankind. This year, the LDCs, embittered by the deadlock in the North-South dialogue and the Reagan Administration's stand on aid and commodities, are in no mood to tolerate any further delaying moves by the Americans. At the Geneva session last August, participants agreed that all outstanding provisions, including those related to deep sea-bed mining — the root cause of American dissatisfaction — must be resolved during this session in New York. Although LDCs would prefer the convention to be signed by all countries, including the United States, they are not willing to bow to all US demands merely for the sake of its participation. LDCs have served notice that they are prepared to go ahead with the treaty without American endorsement.

The Americans, therefore, must make up their minds whether they want to join. On the one hand, signing the treaty will mean that the American mining companies will have to share their technology for deep sea-bed mining with an international body that will be set up to supervise the exploitation on behalf of LDCs. On the other hand, other provisions of the draft treaty are essential to a maritime power like the United States, in particular those ensuring access through straits, archipelagic waters and also through the exclusive economic zones, not only for commercial but also naval ships and nuclear

submarines. Moreover, as the president of the conference, Mr Tommy Koh of Singapore, pointed out, it would have been extremely difficult, in the absence of a draft convention, even for a superpower to stop coastal states from extending their jurisdiction over internal waters, the exclusive economic zone and continental shelf and from asserting a claim to all resources contained therein. Even if the United States has the naval capability to force its way through these waters, it will be politically difficult to use military might against friendly nations and allies, as Britain found to its cost in its cold war with Iceland. Not surprisingly, the US Defence Department is believed to have recommended that negotiations be resumed.

The US will also have to consider the political fallout if it chooses to opt out of the convention. Such an act will be regarded by the LDCs as a breach of faith and will irreparably damage the credibility of the US as a negotiator. It may lead to doubts as to whether commitments by past administrations are worth the paper they are written on. Moreover, moderate countries like Malaysia may well ask whether it is worthwhile to be conciliatory to a country which is callously indifferent to the sentiments of the Third World. Although industrial countries like Britain, France and West Germany have passed, or are planning to introduce, domestic legislation similar to that adopted by the US which allows their corporations to mine in the deep sea-bed, the US cannot rely on their support if it decides not to join the convention. West Germany has already accepted the negotiating conference's proposal to locate the new deep sea-bed authority in Hamburg, a decision which would require it to be a party to the convention. It is doubtful whether Japan which relies on LDCs for raw materials as well as marketing outlets would be prepared to support the US on this issue.

CSO: 5200/8210

PEOPLE'S REPUBLIC OF CHINA

'XINHUA' HAILS ADOPTION OF LAW OF SEA CONVENTION

OW021958 Beijing XINHUA in English 1829 GMT 2 May 82

[Text] United Nations, May 1 (XINHUA) -- After nine years of tough negotiations, a draft convention on the law of the sea was adopted at the 11th Session of the Third U.N. Conference on the Law of the Sea yesterday. 130 countries voted in favor, 4 (U.S., Turkey, Venezuela and Israel) against with 17 (including the Soviet Union, the Federal Republic of Germany and the United Kingdom) abstentions.

The draft convention consists of 320 articles and 9 annexes dealing with most human uses of seas and oceans, including shipping, fishing and resources exploitation. One of the important provisions stipulates that every coastal state has the right to establish up to 12 nautical miles of territorial sea. An exclusive economic zone provision says that every coastal state has sovereign rights in the waters up to 200 nautical miles from its coast with regard to natural resources and certain economic activities and also has certain types of jurisdiction over marine scientific research and protection and preservation of marine environment. A provision stipulates that the continental-shelf of a coastal state extends to a distance of 200 nautical miles, or 350 nautical miles under specific circumstances. The coastal state exercises over the continental-shelf sovereign rights for the purpose of exploring and exploiting its natural resources.

The provision on land-locked states provides that these states shall have the right of access to and from the sea.

The convention contains certain provisions guiding the use of territorial seas and straits for international navigation.

Another important provision explicitly stipulates that the international sea-bed area and its resources are the common heritage of mankind. It provides that a "parallel system" will be established for exploring and exploiting the deep sea-bed. Under the system, all activities in the area would be controlled by the international sea-bed authority. This authority would be empowered by states parties to the convention to conduct its own mining operations through an organ called "Enterprise" and, at the same time, to contract with private and state ventures to give them mining rights in the area. It also stipulates that licensed miners must make payments ranging from 35 to 70 percent of their returns on investment to the enterprise, and that they are obligated to transfer their technology to the enterprise.

A few industrialized countries, the United States in particular, attempted to monopolize the exploitation of trillion-billion dollars of minerals lying in the international sea-bed area by using their fabulous capital and advanced technology. Not long ago, the United States introduced amendments on the draft convention's sea-bed provisions, calling in effect for the renunciation of the principle which regards the international sea-bed area as the common heritage of mankind. This unreasonable demand was categorically rejected by the developing countries. The adoption of the draft convention is, as a whole, an outcome of

the long struggle waged by the Third World countries for equitable rights over seas and oceans and against big-powers' hegemonic activities in these waters. At the same time, it is also a compromised package that takes into account the interests of different types of countries with different conditions.

The draft convention is expected to be signed at Caracas, Venezuela, in December.

(Shen Weiliang), vice-chairman of the Chinese delegation, said yesterday that the adoption of a new convention on the law of the sea was the result of many years of negotiations and consultations and represented only a first step toward the establishment of a new legal order of the sea. There are still imperfections or even serious defects in quite a number of provisions of the present draft convention, he added.

He said that the numerous developing countries should make continued efforts toward defending the aims and principles of the convention and safeguarding their legal rights and interests. He pointed out that, with regard to the international sea-bed regime, the draft resolution on preparatory investment has accommodated too much of the demands of a few industrialized powers and provided privileges and priority status to these countries and their companies. "We do not consider this appropriate," he said.

He pointed out that in order to safeguard the principle of the common heritage of mankind and the provisions of the convention, no country should enact unilateral legislation in relation to deep sea mining. Any such act is illegal and null and void.

With regard to the question of the regime of the passage of warships through territorial sea, he reiterated the Chinese Government's stand that the coastal state has the right to require prior authorization or notification for the passage of foreign warships through territorial sea in accordance with the laws and regulations of the respective coastal state. "As to the questions concerning the definition of continental shelf and the delimitation of sea areas between states with opposite or adjacent coasts, I have already expressed our principles underlying these issues at the plenary meeting of 31 March. My delegation maintains its previous position," he said.

CSO: 5200/2073

LAW OF SEA TREATY A SHAKY VICTORY FOR DEVELOPING NATIONS

Manila PHILIPPINES DAILY EXPRESS in English 4 May 82 p 4

[Editorial]

[Text]

THE RECENT adoption of the law of the sea treaty in the United Nations — after eight years of exhaustive and sometimes bitter deliberations — is a significant though still shaky victory for the world's developing nations, including the Philippines.

Where once there was confusion and conflict among nations in their arbitrary assertion of maritime rights, now there is at least a framework in regulating the use of the oceans and in exploiting seabed resources, including fish, oil and other minerals.

Despite opposition from the United States and a few other countries which abstained or voted against the treaty, the developing nations' claim to their territorial waters now has a legal foundation to stand on.

A country with a wide coastline and rich seabed mineral resources, the Philippines is expected to derive major benefits from the law of the sea treaty.

In assessing these benefits, Minister of State for Foreign Affairs Arturo M. Tolentino — chairman of the Philippine delegation to the UN law of the sea conference — mentioned two concessions which the country has won as a result of the treaty's approval.

The first is the archipelago principle which internationally stabilizes the Philippine claim of sovereignty over 170,000 square nautical miles of waters around and between the nation's many islands.

The other concession is the exclusive economic zone rights which gives the country jurisdiction over a belt of water 200 nautical miles wide around the archipelago.

With regard to the mining of seabed mineral resources by international companies, the treaty stipulates that the income from such venture will have to be shared with the host country. Furthermore, the proceeds from such seabed exploitation are to be distributed among developing countries under the principle that the resources of the deep sea are the common heritage of mankind.

The law of the sea treaty, however, could adversely affect the interests of the more advanced countries who have the advantage

of technology and capital over the rest of the nations. Without the agreement, these countries can exploit sea resources almost without regulation in practically all corners of the globe to the detriment of the developing world.

The conflict of views between the signatories and those opposed to the treaty could pose a threat to the spirit of the treaty. With their technology and capital, industrialized countries could exert pressure on host countries for them to compromise, thereby sacrificing the rights they are supposed to enjoy.

Since no less than a concerted global action can assure the protection and just exploitation of the resources of the sea, a reconciliation of contrasting positions should be affected by both the developing and industrialized nations. If it falls short of this, let the treaty at least be respected by all.

CSO: 5200/5652

SOUTH KOREA

BRIEFS

FOREIGN MINISTRY ON TREATY--Seoul, May 3 (YONHAP)--A spokesman for the Foreign Ministry said Monday that the UN conference-approved International Law of the Sea Treaty was compatible with South Korea's existing agreements with Japan, and reiterated Seoul's position that it is ready anytime to hold talks with Beijing on matters pertaining to continental shelves and economic zones. The spokesman said however, that, for security reasons, South Korea will continue to require the prior notification of all vessels passing through its territorial waters, including those ships that fall into the "innocent passage" category. The International Law of the Sea Treaty, providing for a 320-km (200 miles) economic zone in the waters surrounding each country, was approved by a UN conference Friday. Before it becomes effective, it must be ratified by at least 60 nations. The United States has voiced its opposition to the treaty. [Text] [SK030842 Seoul YONHAP in English 0830 GMT 3 May 82]

CSO: 5200/2073

GERMAN DEMOCRATIC REPUBLIC

SEA LAW DELEGATE COMMENTS ON CONVENTION VOTE

LD021130 East Berlin ADN International Service in German 0921 GMT 2 May 82

[Text] UN/New York -- The 11th session of the UN Law of the Sea Conference on Friday adopted the international convention on the Law of the Sea. One-hundred-and-thirty states voted for the treaty and four, among them the United States and Israel, voted against. Seventeen states, among them the GDR and the USSR, abstained, as did a number of West European states, among them the FRG and Great Britain.

The head of the GDR delegation, Dr Guenter Goerner, said that the documents, on which the vote was taken as a package, contained a resolution on advance investments for future sea mining which gives the Western industrial states one-sided advantages. If there had been a separate vote the GDR would have voted against the discriminating resolution, but for the convention, its appendices and the other resolutions.

The head of the GDR delegation stressed that the convention would help strengthen peace, security, cooperation and peaceful relations between all states. It is proof of the possibility, in spite of a complicated international situation, of reaching agreements on complex and urgent questions of vital interest for all states.

The final formulation of the convention is to be ratified at a final discussion by the conference in September, and its signing left open until the end of the year in Caracas (Venezuela). Ratification by at least 60 states is necessary before the convention can come into force.

CSO: 5200/2073

CHILE

BRIEFS

BEAGLE TALKS PROGRESS--Foreign Minister Rene Rojas Galdames has expressed his satisfaction at the new momentum observed in the talks held by the Argentine and Chilean delegations within the framework of the papal mediation. He said the words of the holy father had instilled greater dynamism to the talks and will thus make it possible for these talks, which had been stalemated, to move at a new pace. He reported that he had talked by phone with Foreign Ministry Under Secretary Ernesto Videla, who had briefed him on the talks. Rojas Galdames ruled out for the time being the possibility of a meeting of the Argentine and Chilean foreign ministers at the Vatican. He made these remarks to newsmen after attending a meeting the president holds every Monday. [Text] [PY271230 Santiago Chile Domestic Service in Spanish 1100 GMT 27 Apr 82]

CSO: 5200/2073

JAMAICA

PLANS FOR LAW OF THE SEA CENTER REMAIN DOUBTFUL

FL102211 Bridgetown CANA in English 2132 GMT 10 May 82

[Text] Kingston, Jamaica, 10 May (CANA)--Jamaica's plans to host the headquarters of the International Seabed Authority (ISA) could run into serious problems if the United States, which voted against the United Nations Law of the Sea convention, stays out and is able to [word indistinct] other Western nations into drafting a mini-pact, according to a former deputy chief of the U.S. negotiating team.

In August last year Jamaica was chosen as the site of the ISA headquarters and the government is busily completing a temporary conference centre in Kingston to host the first meetings of the preparatory committee of the ISA, scheduled for early next year. The authority will be responsible for the operation of the Law of the Sea treaty.

However, serious doubts over the effectiveness of any Law of the Sea developed when, during the adoption vote last week, the United States, Israel, Venezuela and Turkey voted against the treaty.

Seventeen countries, including almost the entire Soviet bloc, abstained, adding to the concern over the future of the agreement.

Lee Rattina, who was up to 30 April still a member of the U.S. negotiating team, told the GLEANER newspaper here that the four countries who voted against adopting the convention were expected to contribute about 50 percent of the budget of the ISA headquarters.

He added: "If the four countries stay out, the cost of the infrastructure will be shared among the remaining countries, and that is a difficult financial burden. The French may want to sign the convention, but might not want to pick up 25 percent share of the budget and may stay out of the treaty to avoid the increased cost.

"This has serious implications for Jamaica and is something the Jamaican Government should explore very rapidly."

Most of the more than 100 countries which voted in favour of the convention were poor, under-developed nations.

Also important was the fact that the United States has been considering the possibility of getting Western countries which have reservations about aspects of the convention to join it in a separate pact.

The head of the U.S. delegation, James Malone, told reporters in New York at the weekend: "We certainly will continue to look very closely at this (a mini treaty) with our allies which are possible near term deep sea miners.

Mr Rattina told the GLEANER that the U.S. campaign would begin within the next three weeks.

At the centre of Reagan administration's objection to the treaty is the limitations it places on arbitrary deep seabed mining by major companies, and the relative preferences given to "the enterprise," which is to be the entrepreneurial arm of the ISA.

They are also concerned with the technological transfer and profit sharing arrangements that the treaty insists industrialised countries must undertake with Third World states during seabed exploration on the grounds that the seas were the common heritage of mankind.

The creation of a mini convention will be stoutly opposed by Third World countries, as was indicated in New York last week by Law of the Sea conference Singapore's Tommy Kohn.

Kohn told reporters: "I want to tell you, and through you I want to tell them, that I will take it upon myself to persuade the U.N. General Assembly to adopt a decision asking the international court of justice for an advisory opinion on whether such activities under unilateral legislation are lawful or illegal."

If the court ruled on the mini-treaty, he added, "I would like to see whether these Western countries which have been sermonizing to the Third World about the rule of law will ask their consortia to stop such activities or whether they will reveal themselves to be a bunch of greedy hypocrites."

The Soviet Union has so far not revealed its intentions, although last month it said it would allow its state corporations to go-ahead with deep sea mining.

However, it was noted that they would not be ready for their ventures until about the middle of the decade, and the Kremlin had said that it could rescind its decree if a Law of the Sea convention was signed.

Jamaica is hoping that the events, sparked-off when the new Reagan administration last year called for a review of the draft treaty that had been approved by its predecessor, will not end up in legal entanglements.

It will need 60 countries to ratify the convention for it to become operable, and it was expected that signing would take place in September in Venezuela--the country where the negotiations started and one which voted against adoption.

But with all the difficulties and because of the work still to be done, the signing has been put back until December.

Said Jamaican Foreign Minister Hugh Shearer in Parliament here last week: "It is our fervent wish that those countries which did not adopt the Law of the Sea convention will find it possible to put it right in December."

CSO: 5200/2074

TRINIDAD AND TOBAGO

BRIEFS

FOREIGN TRAWLER PROBLEM--Local fishermen are incurring heavy losses because foreign trawlers destroy their boats and fishing nets. This was revealed at a meeting between the Minister of Agriculture, Lands and Food Production Mr. Kamaluddin Mohammed and the New Port of Spain Fishing Co-operative, recently. At the meeting, Mr Mohammed was told of the loss of nets through the passage of foreign vessels and the destruction of fishing boats by foreign trawlers, according to a release from the ministry. The delegation also discussed the response of the Coast Guard to fishing boats and to fishermen missing at sea. Another matter raised was the renovation of the new wholesale fish market in Port of Spain. Mr. Mohammed has asked the National Fisheries Company to prepare and implement a programme for the "immediate rehabilitation" of the market which will eventually be used by fishermen. According to the release, the delegation pointed to the urgent need for relocation of fishermen from the existing market because of the deterioration of facilities there. The programme is to include refurbishing cold storage facilities, repair to buildings, dredging of the sea front and security on the compound. The co-operative has been invited by Mr. Mohammed to submit the names of a few persons in their membership for collaboration with officials of the ministry in the implementation of the programme. [Port-of-Spain TRINIDAD GUARDIAN in English 9 Apr 82 p 12]

CSO: 5200/7532

SAUDI-SUDANESE DEEP SEA MINING TO BEGIN

Beirut AN-NAHAR ARAB REPORT & MEMO in English No 10, 8 Mar 82 p 7

[Text] Saudi Arabia and Sudan have agreed to begin work on a joint project to mine minerals from the Red Sea. The agreement was signed three weeks ago by Sudanese Energy Minister Sharif Mohammed Tihami while on a visit to Riyadh, as this newsletter reported in its February 22 issue. Our London correspondent gives us further details of the project.

Saudi Arabia and Sudan are to press ahead with mining operations in the Red Sea which could produce revenues of up to \$80 million a year. The project is being handled by the Saudi-Sudan Red Sea Commission, which is concentrating its efforts on the Atlantis II deep. The muds in the deep contain a variety of sulphide ores with up to 6 per cent zinc, 1.0 per cent copper and 0.1 per cent silver. The deep is believed to contain a total of about 1,700,000 tonnes of zinc, 400,000 tonnes of copper and 4,000 tonnes of silver. The total value of recoverable minerals is put at \$3 billion.

Technology and equipment for mining the muds of the Atlantis II deep is being developed by West Germany's Preussag, which has already carried out a pre-pilot mining programme.

A pilot mining project is now envisaged, with possible full-scale mining operations then starting by 1990. The ores would be taken for processing to the new Saudi industrial city of Yanbu. However, final costs have not been fully calculated and these could amount to more than \$200 million a year.

Saudi Arabia is footing the project's bill at this stage. Eventually, Sudan is expected to contribute, with its share of costs being deducted from revenue. Share-out problems are not anticipated since Atlantis II is in a common economic zone established by the two countries.

The muds are up to 30 metres thick and lie between 1,000 and 2,000 metres below the surface. Initial fears that the pollution caused by the mining might pose insuperable problems have been eased by provisional conclusions that the discarded mud and chemicals used in the mining process can be properly disposed of at such a depth.

CSO: 5200/5006

MP BLAMES GREED FOR RUINED FISHERIES

Johannesburg THE CITIZEN in English 4 May 82 p 4

[From the "Parliament" page]

[Text]

HOUSE OF ASSEMBLY. — Mr Philip Myburgh (PFP, Wynberg), called for a judicial commission of inquiry yesterday into the destruction of marine resources in South African and SWA waters.

Speaking during the debate on the Agriculture and Fisheries Budget vote, Mr Myburgh said that, as a result of exploitation, South Africa today found itself with a fishing resource which had been virtually ruined.

"Over the years, the sea has been open to abuse and this government under various ministers — I cannot include the present minister — has refused to take action to protect the resource," he said.

The fact that a White Paper was presented two years after the Commission of Inquiry into the marine resources completed its work, was an indication

of the lack of attention paid to the fishing industry.

Mr Myburgh said he suspected that the theories of scientist, Dr Jan Lochner, regarding the collapse of the pilchard resource in SWA were never put to Dr A P Burger, the scientific adviser to the Prime Minister, "in the same form and manner as to the commission."

Nowhere in the commission's recommendations was any reference made to the need for scientists to evaluate the accuracy of Dr Lochner's theory on limits which could be placed on the catch to enable the resource to maintain itself.

"If I am correct in the deduction that the correct information was not submitted to Dr Burger, then this is a clear breach of faith by the Minister's department, and certainly places the Prime Minister's Advisory Council in a very awkward position.

"Before the end of this debate, the Minister (Mr Pietie du Plessis)

should be able to give us an answer on this matter. Otherwise, I suggest it should be investigated inter-departmentally."

He said a newspaper had run articles which pointed to greed and over-exploitation as having led to the destruction of the pelagic fish resource.

"While direct allegations of corruption are not made, it nevertheless looks as if certain people were aware of the destruction, but that money and other interests were more important than the protection of our resources."

There were also numerous newspaper reports on events taking place in False Bay in which so-called inspectors were bribed. Cover-ups and under-the-counter payments seemed to be the order of the day.

However, he believed that these were only the small fry.

"The big names behind this débâcle in the fishing industry must be found somehow."

LOS CONVENTION ADOPTED AFTER 7 YEARS OF TALKS

LD021106 Moscow TASS in English 1040 GMT 2 May 82

[By TASS news analyst Vladimir Matyash]

[Text] Moscow, 2 May, TASS -- After more than seven years of intensive talks representatives of more than 150 U.N. member-states have drawn up at their session in New York the first ever International Law of the Sea Convention. The convention is scheduled to be signed in an official ceremony in Caracas, the capital of Venezuela, in December this year. Under the agreement reached, it is to come into force a year after it is signed and ratified by 60 states.

This comprehensive international-legal document including more than 500 articles is called upon to become an important instrument for the development of equitable and fruitful cooperation for the use of the expanses of seas and their resources, an instrument for strengthening peace and law and order on seas and oceans. It will make it possible, in particular, to regulate the peaceful uses of the resources of the world oceans, including the development of their resources. The point at issue are above all nickel, cobalt, copper, tungsten, manganese and other valuable metals.

The agreements reached determine the boundaries of economic zones, where a tempestuous development of economic activity by various states is observed, the regime and borders of the continental shelf, stipulate the rules of navigation at sea and in the air, fishing on high seas and territorial waters.

It is absolutely obvious that the coming of this convention into force will contribute to the consolidation of peace and international security, strengthening of mutual understanding and cooperation between states with different socio-political systems.

Only four states voted against the convention, including the USA and its closest military-political ally Israel. Washington's negative stand has convincingly shown that the USA by no means strives for the development of equitable cooperation between states in the exploration and use of the expanses and resources of the world ocean. Behind Washington's attempts at sabotaging the convention are big American monopolies, which are pressing ahead for ensuring for them an exceptional "right" to uncontrolled exploitation of seabed.

They on the banks of the Potomac have apparently set themselves the aim of torpedoing at any cost any efforts by the world community aimed at the development of broad international cooperation. The imperial, hegemonic course of the White House obviously totally fits into the framework of the present-day adventurist aggressive strategy of the USA in the world arena, a strategy whose aim is to aggravate international tensions and torpedo detente.

As far as the USSR's stand is concerned, in the opinion of our country, the conference has succeeded in drawing up a good draft convention albeit it does not fully take into consideration the interests of all states but at the same time is not in conflict with anybody's interests.

USSR

SOVIET ENVOY'S REMARKS AT LOS CONFERENCE

LD291314 Moscow TASS in English 1050 GMT 29 Apr 82

[By TASS correspondent Yevgeniy Menkes]

[Text] New York, 29 Apr, TASS -- The delegates of the Western powers, above all the United States, at the session of the third United Nations Conference on the Law of the Sea, which is ending here, are making the last attempts at bargaining for additional advantages for the transnational corporations that survey and exploit minerals at the bottom of the sea. It was precisely under Washington pressure that provisions were included in the working document, prepared by the conference chairman and discussed at the plenary meeting of the session, under which discriminatory provisions against the USSR and a number of other countries would be introduced in the final text of the draft international convention on the Law of the Sea. They deal with the question of regulating preliminary capital investments in initial activities connected with polymetallic concretions.

Many speakers in the debates at the plenary meeting expressed their principled objections to such provisions, pointing out that they objectively did not reflect the necessary equality between the principal potential prospectors and exploiters of metalbearing concretions.

It follows from such a proposal that some states would be able to obtain rights which should be granted only by the convention without even signing it, Deputy Foreign Minister of the USSR S.P. Kozryev, the head of the Soviet delegation at the session, said. An imbalance between the rights and duties of such states would, of course, arise. Some countries, such as the USSR and also India and France, are bound to sign the convention, while the United States, Britain, the FRG, Japan and others are not bound to sign it. This discriminates against states which obtain protection of preliminary capital investments only in conditions of their signing the convention. This approach arouses anxiety of the delegations from developing countries, the anxiety which we fully have shared and do share.

Re-emphasizing the importance of strict observance of the principle of equality in determining the regime for prospecting and exploiting the resources of the world ocean, the head of the Soviet delegation appealed to the participants in the conference not to press for the further introduction of any changes in the official draft convention.

The stand of the Soviet delegation met with full understanding and support of many socialist and developing states. The rights of states to access to the resources of the sea bottom are adequately safeguarded in the draft convention and supplements to it, and there is not the slightest need of any changes or additions since this would create an imbalance in the future activity of the new international bottom of the sea agency, which is now being set up, said Abdul Koroma, the permanent representative of Sierra Leone at the United Nations. This would also legalise laws, unilaterally enacted by such countries as the United States, Britain and the FRG, on the regulation of the production of concretions in deep water regions which the conference had opposed.

CSO: 5200/2073

COAST GUARD TO STEP UP EFFORT AGAINST ILLEGAL FISHING

Stockholm SVENSKA DAGBLADET in Swedish 31 Mar 82 p 6

[Article by Hans O. Alfredsson]

[Text] The coast guard will be better equipped to combat illegal fishing in the Swedish Baltic Sea zone. This was indicated by Trade Minister Bjorn Molin (Liberal Party) at a question-and-answer session in parliament on Tuesday.

Molin referred to a bill recently proposed by the government concerning participation by the Customs Office in policing Swedish waters. According to the proposal, the coast guard would have practically the same rights as police, for example to force foreign vessels into port and to interrogate the crew. It is suggested that the law go into effect on 1 July.

The trade minister answered a question from Jens Eriksson (Conservative Party) on illegal fishing in the Baltic Sea. Eriksson asked what the government intended to do to create law and order in the Swedish economic zone.

Just several weeks ago a fishing boat from Gotland was forced to pay heavy fines after entering Soviet waters and it was, in part, for this reason that Eriksson asked the question.

Greater Resources

Bjorn Molin stressed that the Customs Office had received greater resources for surveillance since the fishing zone was expanded on 1 January 1978. He also reported on existing penalties and current practice.

"This only gives us an idea of the lack of interest and the powerlessness we feel while attempting to protect Swedish fishing interests," Jens Eriksson said. The problem, of course, is that the coast guard cannot force illegal fishing vessels into port.

Bjorn Molin maintained that the government's proposal would give the Customs Office the authority sought by Jens Eriksson.

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TURKEY

TURKEY EXPLAINS VOTE AGAINST LAW OF THE SEA AGREEMENT

TA031115 Ankara Domestic Service in Turkish 1000 GMT 3 May 82

[Text] Foreign Ministry spokesman Ambassador Nazmi Akiman has said that the agreement approved at the UN Law of the Sea Conference has provisions which are incompatible with Turkey's vital and legal rights and interests in the Aegean Sea. Akiman said: Turkey has voted against the agreement in a bid to decisively express its determination to defend its vital and legal rights and interests. Akiman made a statement on the issue following journalists' questions on the Law of the Sea agreement. Akiman recalled that Turkey made positive contributions to the preparation of the agreement with the belief that it would secure a just and lasting order in the seas, solve existing and possible differences and receive universal acceptance. Noting that despite these efforts the text of the agreement contains provisions incompatible with Turkey's legal rights and interests in the Aegean Sea, Akiman said that in addition to various proposals on amendments a proposal enabling the inclusion of a reservation to the agreement was also rejected. The spokesman added that Turkey voted against the agreement following these rejections. He said: At this stage, it is out of the question for Turkey to sign the agreement.

Akiman said that the agreement contains provisions which will secure various economic benefits to developing countries but that the practical value of these provisions diminishes in view of the distribution of the votes. [as heard] Akiman concluded by saying that it is unthinkable that vital interests concerning national security be exposed to dangers because of various economic interests.

The agreement adopted at the UN Law of the Sea Conference on Friday allows the concerned countries to extend their territorial waters to 12 miles, their economic zones to 200 miles and their continental shelves up to 350 miles. The agreement also contains a provision saying that islands can have territorial waters and continental shelves just as the mainlands. The agreement also envisages the free passage of all vessels, including warships, through straits. The agreement, which will be open to signatures in December, will go into effect 1 year after it is signed by at least 60 members.

CSO: 5200/5310

END